

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FENIX CONSTRUCTORS, INC.,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 06-CV-546-GKF-FHM
)	
SHELTERING PALMS-TULSA I, LLC;)	
CAPMARK FINANCE, INC., f/k/a)	
GMAC COMMERCIAL MORTGAGE)	
CORPORATION; SHAUN DONOVAN,)	
Secretary of The U.S. Department of)	
Housing and Urban Development;)	
)	
Defendants.)	

**FENIX’S OBJECTION TO HUD’S MOTION
TO MODIFY OR RESCIND CERTAIN ORDERS**

Plaintiff, Fenix Constructors, Inc. (“Fenix”), objects to defendant’s, Shaun Donovan, Secretary of the U.S. Department of Housing and Urban Development (“HUD”), motion to modify or rescind certain orders. All claims between all parties were released pursuant to the terms of the settlement agreement. The modification of any orders in the case was not part of the settlement. Fenix specifically objects to any further motions or requests by HUD that would further this litigation. The litigation is concluded in all respects and should be dismissed with prejudice by the Court.

s/ Evan B. Gatewood

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CERTIFICATE OF SERVICE

This is to certify that on April 2, 2010, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

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s/ Evan B. Gatewood

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